

**UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

VS.

AARON BROUSSARD
Defendant

:
:
: **Case No. 3:16-CR-352**
:
:

UNOPPOSED MOTION FOR TRIAL CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

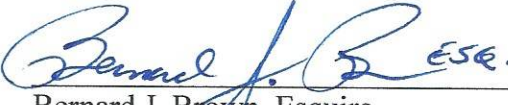
AND NOW COMES, the Defendant, Aaron Broussard, by and through his Attorney, Bernard J. Brown, Esquire, and hereby files this Motion as directed by the Court and avers as follows:

- 1) On December 6, 2016, Defendant, Aaron Broussard was charged in an Indictment with Distribution and Possession with the Intent to Distribute a Controlled Substance, in violation of Title 21, United States Code § § 841(a)(1) and 841(b)(1)(C).
- 2) On April 4, 2017, Undersigned Counsel was hired to represent the above-named Defendant, Aaron Broussard, and then on January 29, 2019, undersigned counsel was court appointed to represent this same Defendant by District Judge James M. Munley.
- 3) The Defendant respectfully requests this Continuance of Trial because counsel for the Defendant will be unavailable, as he will be away for the Pre-Trial Conference.
- 4) Also, Undersigned Counsel and the Government are still involved in the discovery process and other Pre-Trial matters. Such as, seeking a potential resolution; and if not, being able to have witnesses appear for trial.

- 5) Having spoken with Assistant U.S. Attorney Michelle Olshefski, who concurs with this request, and therefore, the Government has no opposition to the Defendant's request at this time. The parties are requesting the time below because of each counsel's trial schedule. Hence, the Defendant, Mr. Broussard respectfully requests a continuance of the Trial in this case. Specifically, he is requesting an additional 90 days to allow the completion of the discovery process, review of all discovery, and properly prepare a diligent and competent defense for trial, accordingly.
- 6) It is respectfully submitted that failure to grant this continuance would likely result in a miscarriage of justice and deny counsel for the Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(i) and (iv).
- 7) Inasmuch as all parties have concurred in this continuance, any period of time from the date of the order granting the continuance up to and including the new date for the trial to begin would be excluded under the Speedy Trial Act. The interests of justice served by granting the continuance and allowing the Defendant additional time to prepare their defense.

WHEREFORE, the Defendant respectfully requests that this Honorable Court grant the relief sought in this Motion along with awarding any other relief this Honorable Court deems just and appropriate under the law.

Respectfully Submitted,


Bernard J. Brown, Esquire
Attorney for the Defendant

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CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE

I hereby certify that on February 18, 2019, I contacted Assistant United States Attorney, Michelle Olshefski, Esquire; the Attorney assigned to this case and sought concurrence in Defendant's Motion for Continuance of Trial in the above-captioned case.

☒ Concurrence was granted.

☐ Concurrence was not granted.

☐ Concurrence or non-concurrence could not be obtained because opposing counsel was unavailable. Additional attempts will be made with the court as soon as possible. Opposing counsel is requested to call the undersigned upon receipt of this motion to advise of his/her position regarding concurrence or non-concurrence of this motion.

Respectfully submitted,

Bernard J. Brown, Esquire
Attorney for the Defendant

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ORDER OF COURT

AND NOW, this _____, 2020, it is hereby **ORDERED** that the Defendant's Continuance is **GRANTED**.

Furthermore, IT IS **ORDERED**:

1. The Time for Trial shall be extended 90 days as agreed upon by the parties and indicated within the Motion filed by the Defendant.
2. Any period of time from the date of the Order granting the continuance up to and including the new date for the trial to begin would be excluded under the Speedy Trial Act.

BY THE COURT:

United States District Judge